

BK 1980 PG 499 - 504

NOTICE OF RESIDUAL PETROLEUM

Joey Kapherr Property, 49466, Granville County, North Carolina
(Site name) (Incident #)
Current property owner's Deed Book 212 Pages 602-603
Site Address 601 Lake Road, Creedmoor, NC

The property that is the subject of this Notice (hereinafter referred to as the "Site") contains residual petroleum and is an Underground Storage Tank (UST) incident under North Carolina's Statutes and Regulations, which consist of N.C.G.S. 143-215.94 and regulations adopted thereunder. This Notice is part of a remedial action for the Site that has been approved by the Secretary (or his/her delegate) of the North Carolina Department of Environmental Quality (or its successor in function), as authorized by N.C.G.S. Section 143B-279.9 and 143B-279.11. The North Carolina Department of Environmental Quality shall hereinafter be referred to as "DEQ".

NOTICE

Petroleum product was released and/or discharged at the Site. Petroleum constituents remain on the site, but are not a danger to public health and the environment, provided that the restrictions described herein, and any other measures required by DEQ pursuant to N.C.G.S. Sections 143B-279.9 and 143B-279.11, are strictly complied with. This "Notice of Residual Petroleum" is composed of a description of the property, the location of the residual petroleum and the land use restrictions on the Site. The Notice has been approved and notarized by DEQ pursuant to N.C.G.S. Sections 143B-279.9 and 143B-279.11 and has/shall be recorded at the

Granville Register of Deeds' office Book _____, Page _____.
(name of county)

Source Property

Joseph W. Kapherr, Jr. and Dianne C. Kapherr of Henderson, North Carolina
(Owner's name) (city & state of homeowner)
is the owner in fee simple of all or a portion of the Site, which is located in the County of Granville, State of North Carolina, and is known and legally described as:

See Attachment A (excerpted from Granville County Register of Deeds Book 212, Page 602).

Revised February 5, 2019

For protection of public health and the environment, the following land use restrictions required by N.C.G.S. Section 143B-279.9(b) shall apply to all of the above-described real property. These restrictions shall continue in effect as long as residual petroleum remains on the site in excess of unrestricted use standards and cannot be amended or cancelled unless and until the Granville County Register of Deed receives and records the written concurrence of the Secretary (or his/her delegate) of DEQ (or its successor in function).

PERPETUAL LAND USE RESTRICTIONS

Soil: Soil containing residual petroleum above applicable regulatory standard(s) remains on the site in the area identified in Figure 1, Attachment B. No soil shall be excavated or disturbed within 3 feet of the area identified in Figure 1, Attachment B except to remediate the soil in accordance with all applicable state and federal statutes, regulations and guidelines.

Groundwater: Groundwater from the site is prohibited from use as a water supply. Water supply wells of any kind shall not be installed or operated on the site.

ENFORCEMENT

The above land use restriction(s) shall be enforced by any owner, operator, or other party responsible for the Site. The above land use restriction(s) may also be enforced by DEQ through any of the remedies provided by law or by means of a civil action, and may also be enforced by any unit of local government having jurisdiction over any part of the Site. Any attempt to cancel this Notice without the approval of DEQ (or its successor in function) shall be subject to enforcement by DEQ to the full extent of the law. Failure by any party required or authorized to enforce any of the above restriction(s) shall in no event be deemed a waiver of the right to do so thereafter as to the same violation or as to one occurring prior or subsequent thereto.

IN WITNESS WHEREOF, Joseph W. Kapherr, Jr. and Dianne C. Kapherr has caused this Notice to be executed pursuant to N.C.G.S. Sections 143B-279.9 and 143B-279.11, this 8th day of April, 2024.

Joseph W. Kapherr, Jr. and Dianne C. Kapherr

(name of responsible party if agent is signing)

By:

Josiah D. Payne

(signature of responsible party, attorney or other agent if there is one)

Vice President, Cedar Rock Environmental, P. C.

(Title of agent for responsible party if there is one)

Signatory's name typed or printed: Josiah D. Payne

NORTH CAROLINA

Wake

COUNTY

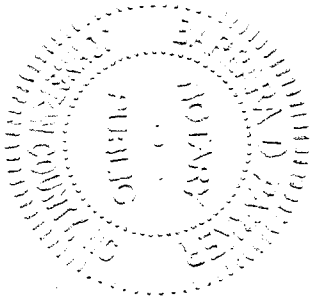
(Name of county in which acknowledgment was taken)

I certify that the following person personally appeared before me this day, acknowledging to me that he or she signed the foregoing document: Josiah D. Payne.

Date:

4/8/2024

(Official Seal)



Barbara D. Parker

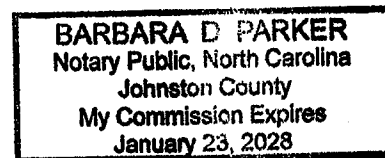
(signature of Notary Public)

Barbara D. Parker

(printed or typed name of Notary Public)

Notary Public

My commission expires: 1/23/2028



Approved for the purposes of N.C.G.S. 143B-279.11

Mark R. Powers

(signature of Regional Supervisor)

MARK R. POWERS, Regional Supervisor
(printed name of Regional Supervisor)

RALEIGH Regional Office

UST Section
Division of Waste Management
Department of Environment Quality

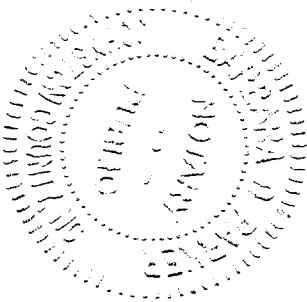
NORTH CAROLINA

Wake COUNTY
(Name of county in which acknowledgment was taken)

I certify that the following person(s) personally appeared before me this day, each acknowledging to me that he or she signed the foregoing document: Mark Powers (full printed name of Regional Supervisor)

Date: 4/8/2024

(Official Seal)



Barbara D. Parker

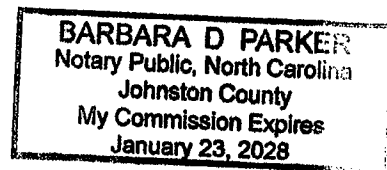
(signature of Notary Public)

Barbara D. Parker

(printed or typed name of Notary Public)

Notary Public

My commission expires: 1/23/2028

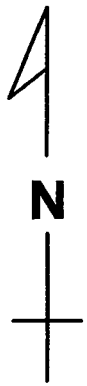


ATTACHMENT A

A certain lot or parcel of land situate on the west side of proposed Green Street in Creedmoor, Granville County, North Carolina, and particularly described as follows:

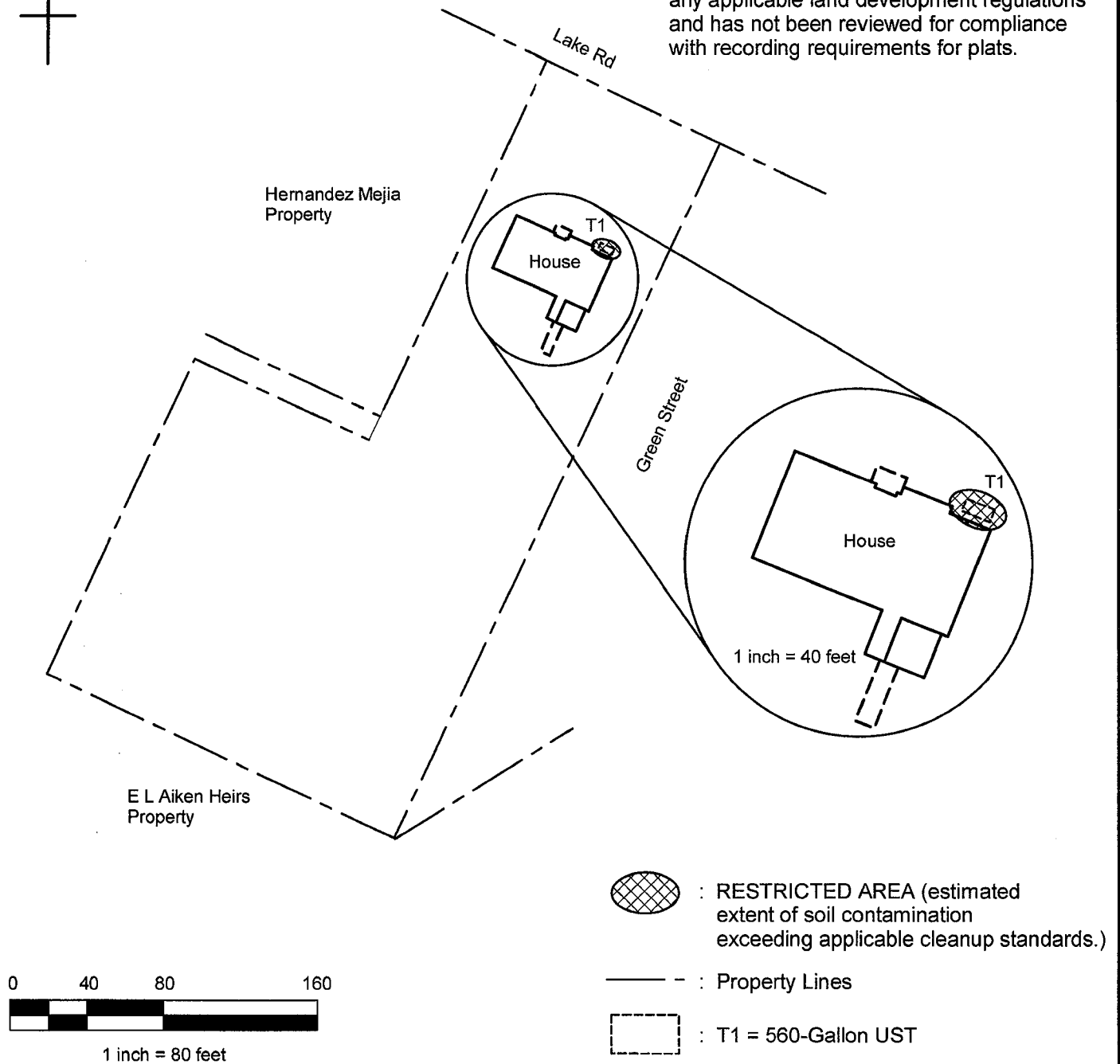
BEGINNING at an iron pin in the west margin of proposed Green Street, the southeast corner of lot of the parties of the second part hereto, and running thence along the west margin of said proposed Street S 25° 15' W 200.0 feet to an iron pin, a new corner in other lands of E. L. Aiken; thence along said Aiken's line N 64° 45' W 200.0 feet to an iron pin, another new corner in other lands of said Aiken; thence further continuing along said Aiken's line N 25° 15' E 182.0 feet to an iron pin in the line of Lot No. 8; thence along the line of said Lot No. 8 S 64° 45' E 100.0 feet to an iron pin; thence N 25° 15' E 18.0 feet to an iron pin, corner of the line of the lot of the parties of the second part; thence along the line of the lot of the parties of the second part S 64° 45' E 100.0 feet to an iron pin in the west margin of proposed Green Street, the point and place of beginning, containing 0.88 acres, more or less, according to survey of Johnnie C. Currin, R.L.S., made 6-28-76.

ATTACHMENT B



NOTE:

This map may not be a certified survey and has not been reviewed by a local government agency for compliance with any applicable land development regulations and has not been reviewed for compliance with recording requirements for plats.



PROJECT: Joey Kapherr Property
INCIDENT #: 49466
LOCATION: 601 Lake Road
Creedmoor, Granville Co.
CRE PROJECT NUMBER: 383922590

**CEDAR ROCK
ENVIRONMENTAL, P. C.**

FILENAME: 3839NoRP.tcw
VERSION DATE: 4/2/2024

FIGURE 1